

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LUCIA R. HERNANDEZ, : Civil No. 04-1526 (MLC)

Plaintiff, :

v. : **O R D E R**

U.S. XPRESS, INC., :

Defendant, :

It appearing that it has been reported to the Court that the above action has been settled in its entirety;

It is on this 30th day of November 2005,

ORDERED THAT:

(1) This action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 60 days, to reopen the action if the settlement is not consummated.

(2) If any party shall move to set aside this Order of Dismissal as provided in the above paragraph or pursuant to the provisions of Fed. R. Civ. P. 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties.

s/Mary L. Cooper
MARY L. COOPER
United States District Judge